

[3 May, 2007]

RAJYA SABHA

Reservation without creamy layer

2942. SHRI S. ANBALAGAN: Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) whether Union Government propose to reserve seats of OBCs without creamy layer criterion in higher educational institutions from the academic year 2007-08 onwards;

(b) if so, the details thereof;

(c) if so, the reasons therefor, particularly when the OBCs suffer from considerable backwardness in the country; and

(d) the other steps proposed to be taken by Government to accord reservation to OBCs without creamy layer due to the fact that there are a large number of most backward people among OBCs?

THE MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (SHRIMATI D. PURANDESWARI): (a) to (d) 27% reservation for OBCs in all Central Educational Institutions are to be implemented from the academic year 2007-08 as per provisions of the Central Educational Institutions (Reservation in Admission) Act. The matter is however *sub-judice* in the Supreme Court of India, which has given a 'stay order' on the implementation of the said provision, during 2007-08. The matter is listed for hearing on the 8th May, 2007.

Reservation for dalit students in residential schools

2943. SHRI JESUDASU SEELAM: Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) whether there is any proposal to provide some reservation/increase of seats in residential schools including Kendriya Vidyalayas and Jawahar Navodaya Vidyalayas in the country for dalit students; and

(b) if so, the details thereof and if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (SHRI MD. ALI ASHRAF FATMI): (a) and (b) Jawahar Navodaya Vidyalaya (JNV) and Kasturba Gandhi Balika Vidyalaya (KGBV) are the only two residential schooling programmes, under the Ministry of

Human Resource Development. For admissions in JNVs, seats are reserved for children from SC and ST communities in the district in proportion to their population in the concerned district but not less than the national average of 15% for SC and 7.5% for ST candidates. In KGBV, 75% of the seats are reserved for girls from SC, ST, OBC and minority communities. There is no proposal to increase the reservation percentage.

Regulation of admission and fee structure

†2944. SHRI SURENDRA LATH: Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) whether it is a fact that some State Governments have made a request to regulate the admissions and fee structure in institutes of higher education and private educational institutions;

(b) if so, the details thereof;

(c) whether any decision has been taken in this regard, and

(d) If not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (SHRIMATI D. PURANDESWARI): (a) to (d) In term of Article 15(5) of the Constitution, State legislatures as well as Parliament are competent to make laws in regard to the advancement of the weaker sections in matter of admission and other allied matters in all educational institutions. Therefore, while such regulation in respect of institutions deemed to be universities would be under the purview of Parliament, each State is competent to make appropriate regulations through law in respect of educational institutions (including private unaided institutions), coming under its domain. According to the information furnished by all States, Andhra Pradesh, Karnataka, Tamil Nadu, Maharashtra, Uttar Pradesh and Uttaranchal have enacted appropriate laws in this regard. The Central Act in regard to such regulations in Centrally established, aided or maintained institution has already come into force. A proposal for regulating unaided deemed to be universities under the purview of the Central Government is under consideration.

†Original notice of the question was received in Hindi.